

AMENDMENT

IN THE CLAIMS:

1. (Currently Amended) ~~Nucleic~~ An isolated nucleic acid molecule, characterized in
~~that, with respect to at least 10 successive nucleotides of its nucleotide chain, it~~ which:

(i) is identical to ~~10-17~~ successive nucleotides of the nucleic acid molecules
~~according to~~ of a), b), c), d), e), f), g) or h):

- a) of SEQ ID NO 1 5'-GAA AAA GCA TTT GAA GCC AT-3' or
- b) of SEQ ID NO 2 5'-GCA ACT TCC GGC TCA GC-3' or
- c) of SEQ ID NO 3 5'-TCG AAA AAG CAT TTG AAG CC-3' or
- d) of SEQ ID NO 4 5'-GGT CAG AGT GAA GCT CAT GT-3' or
- e) of SEQ ID NO 5 5'-CTI TTC ACA TGA GCT TCA CTC TGA
CCR A-3' or
- f) of SEQ ID NO 6 5'-CTT TTT CTT TCA CTG GGT TTC CGA
CAT-3' or
- g) of SEQ ID NO 7 5'-GAT GAT TTC TTT TTC TTT CAC TGG
ATT TCC AAT AT-3' or
- h) of the sequence completely complementary in each case to a), b), c), d), e), f)
and or g);

or

(ii) ~~matches 9 out of 10 successive nucleotides of the nucleic acid molecules~~
~~according to (a), (b), (c), (d), (e), (f), (g), or (h) or~~

- (iii) ~~matches 8 out of 10 successive nucleotides of the nucleic acid molecules~~
according to (a), (b), (c), (d), (e), (f), (g), or (h) or
- (ivii) is at least 90% homologous- identical to a nucleic acid molecule according to (a), (b), (c), (d), (e), (f), (g), or (h).

2. (Currently Amended) ~~Nucleic~~ The isolated nucleic acid molecule according to of claim 1, characterized by a length common for probes or primers, in particular for a PCR reaction, in particular by a length comprising a total length of from ~~10-17~~ to 250, and preferably of from 15 to 30 nucleotides.

3. (Currently Amended) ~~Nucleic~~ An isolated nucleic acid molecule

- a) of SEQ ID NO 1 5'-GAA AAA GCA TTT GAA GCC AT-3' or
- b) of SEQ ID NO 2 5'-GCA ACT TCC GGC TCA GC-3' or
- c) of SEQ ID NO 3 5'-TCG AAA AAG CAT TTG AAG CC-3' or
- d) of SEQ ID NO 4 5'-GGT CAG AGT GAA GCT CAT GT-3' or
- e) of SEQ ID NO 5 5'-CTI TTC ACA TGA GCT TCA CTC TGA CCR A-3' or
- f) of SEQ ID NO 6 5'-CTT TTT CTT TCA CTG GGT TTC CGA CAT-3' or
- g) of SEQ ID NO 7 5'-GAT GAT TTC TTT TTC TTT CAC TGG ATT TCC
AAT AT-3' or
- h) of the sequence completely complementary in each case to a), b), c), d), e), f) and or g).

4. (Currently Amended) ~~Nucleic~~ The isolated nucleic acid molecule according to of claim 1, characterized in that it which is present in single-stranded or double-stranded form.

5. (Currently Amended) ~~Nucleic~~ The isolated nucleic acid molecule according to of claim 1, characterized in that it which is present

- (i) as DNA sequence or
- (ii) as RNA sequence corresponding to (i) or
- (iii) as PNA sequence,

where the nucleic acid molecule is modified, ~~where appropriate,~~ in a manner known per se for analytical detection methods, ~~in particular for those based on hybridization and/or amplification.~~

6. (Cancelled).

7. (Currently Amended) ~~Nucleic~~ The isolated nucleic acid molecule according to of claim 1, characterized in that wherein the nucleic acid molecule has been modified or labeled ~~by or additionally~~ by having one or more radioactive groups, colored groups, fluorescent groups, groups for immobilization on a solid phase and/or groups for an indirect or direct reaction, ~~in particular for an enzymatic reaction, in particular with the aid of antibodies, antigens, enzymes and/or substances with affinity to enzymes or enzyme complexes, and/or otherwise modifying or modified groups of a nucleic acid like structure.~~

8. (Currently Amended) ~~Kit~~ A kit for analytical detection methods, in particular for detecting bacteria of the species *Listeria monocytogenes*, characterized by comprising one or more nucleic acid molecules ~~according to~~ of claim 1.

9. (Currently Amended) ~~Use of one or more of nucleic acid molecules according to claim 1~~ A method for detecting the presence or absence of bacteria of the species *Listeria monocytogenes*, comprising the steps of:

- (i) providing one or more of the nucleic acid molecules of claim 1, and

(ii) detecting the presence or absence of bacteria of the species *Listeria monocytogenes*.

10. (Currently Amended) ~~Use according to The method of~~ claim 9, characterized in that wherein a nucleic acid hybridization and/or a nucleic acid amplification are carried out.

11. (Currently Amended) ~~Use according to The method of~~ claim 10, characterized in that wherein for the nucleic acid amplification a polymerase chain reaction is carried out.

12. (Currently Amended) ~~Use according to claim 1, characterized in that the bacteria to be detected are distinguished~~ A method for distinguishing bacteria of the species *Listeria monocytogenes* from other bacteria, comprising the steps of:

(i) providing a test sample containing bacteria;

(ii) providing at least one nucleic acid molecule of claim 3; and

(iii) distinguishing *Listeria monocytogenes* by detecting differences in the genomic DNA and/or RNA in at least one nucleotide position in the region of one of the nucleic acid molecules of claim 3.

~~from the bacteria not to be detected on the basis of differences in the genomic DNA and/or RNA in at least one nucleotide position in the region of one of the nucleic acid molecules of claim 3.~~

13. (Cancelled).

14. (New). The isolated nucleic acid molecule of claim 5, wherein the modification is suitable for hybridisation and/or amplification.

15. (New) The isolated nucleic acid molecule of claim 7, wherein the nucleic acid molecule is modified or labelled by antibodies, antigens, enzymes and/or substances with an affinity to enzymes or enzyme complexes.

16. (New) The isolated nucleic acid molecule of claim 2, comprising a total length of from 17 to 30 nucleotides.